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/Andrew Vernon Smith/

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/077,423 Confirmation No. 3748
Applicant(s) : Boris Andreyevich Krasnoiarov, et al.
Filed : February 15, 2002
TC/A.U. : 2176
Examiner : Tran, Quoc A.

Docket No. : BEA-101
USPTO Customer No. 73719

Title of the Invention: METHOD AND SYSTEM FOR ASSEMBLING
CONCURRENTLY-GENERATED CONTENT

Mail Stop Appeal Brief
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

APPEAL BRIEF

Sir:

This Appeal Brief is submitted in accordance with 37 C.F.R. 41.37, which is in response to the Office Communication of December 12, 2007.

The fee set forth in 37 C.F.R. 41.20(b)(1) is submitted herewith.

(i) REAL PARTY IN INTEREST

The real party in interest is assignee BEA Systems, Inc.

(ii) RELATED APPEALS AND INTERFERENCES

Parent US application serial number 09/949,532 is pending appeal to the Board of Patent Appeals and Interferences. It is noted that an Appeal Brief has been filed in that related proceeding.

(iii) STATUS OF CLAIMS

Claims 1, 3-16, 18-31, 33-46 and 48-84 stand rejected and each is being appealed. Claims 2, 17, 32 and 47 have been canceled.

(iv) STATUS OF AMENDMENTS

None.

(v) SUMMARY OF CLAIMED SUBJECT MATTER

Claims 1-84 find support initially at Claims 1-60, as originally filed.

In general, support for the previous amendments to claims 1-60 is found at least at page 14, lines 14-15, page 14, line 31-page 15, line 12, page 22, lines 22-23, and page 27, line 3, and claims 1-60, as originally filed.

Support for previously presented claims 61, 67, 73 and 79 is found at least at page 13, lines 17-18, page 24, lines 5-30, and page 26, lines 9-21.

Support for previously presented claims 62-64, 68-70, 74-76 and 80-82 is found at least at page 25, line 6-page 26, line 2.

Support for previously presented claims 65, 71, 77 and 83 is found at least at page 13, line 31-page 14, line 2, and page 16, beginning at line 4.

Support for previously presented claims 66, 72, 78 and 84 is found at least at page 13, line 31-page 14, line 12.

Of claims 1-84, claims 1, 16, 31 and 46 are independent.

Claim 1 recites a method for satisfying a single request from a client (518A, 518B, ..., and/or 518N of Fig. 5) for a plurality of content components such as company news 104, stock quotes 106, email 108 and a customer relationship management (CRM) content component 110 of Figure 1) derived from content hosted by a plurality of distinct, separately accessible component servers (e.g., 508, 506, 504 and 502 of Fig.

5, respectively) for forming a personalized network page (e.g., as may be viewed by a user on display screen 102 of Fig. 1).

The method of claim 1 includes receiving a single request (e.g., element 510 of Fig. 5 may receive a request from a user via a user terminal 518A, 518B and/or 518N and network 520) specifying multiple content components (such as two or more of company news 104, stock quotes 106, email 108 and a customer relationship management (CRM) content component 110 of Figure 1) derived from content hosted by the plurality of distinct, separately accessible component servers (508, 506, 504, 502) for forming the personalized network page (e.g., as may be viewed by a user on display screen 102 of Fig. 1).

The method of claim 1 further includes, after receiving the single request, generating a plurality of information requests (e.g., as illustrated by the four requests going out from the main server in Figure 9) for the content (e.g., 502, 504, 506, 508), as parallel worker threads spawned from a main execution thread; (for example, as described under the section "PARALLEL REQUESTS" beginning at page 14, line 31, and illustrated at Figures 9-12).

The method of claim 1 further includes sending the plurality of requests as parallel or rapid sequential worker threads (e.g., as illustrated by the four requests going out from the main server in Figure 9) so that each information request is sent to the component server hosting the content corresponding to the information request before receiving a response to any of the information requests, thereby permitting concurrent generation of the content components at the component servers; (e.g., as illustrated by the component servers 904A, 904B and 904D of Figure 10 which each have included therewith a partial-circular segment headed by an arrow illustrating that each is generating a content component, while component server 904C is illustrated as having completed generation of the content component and is now sending to the main server 902).

The method of claim 1 further includes forming the content components from the responses to the information requests (such as illustrated at block 1312 of Figure 13, and at Figure 11 and the left-hand side of Figure 12, and as illustrated by the arrows associated with the main process 516 and the HTTP client libraries 530 of the main server 510 of Figures 5-8) including assembling the personalized network page (e.g., as may be viewed by a user on display screen 102 of Fig. 1).

The method of claim 1 further includes transmitting the personalized network page including the multiple content components to the client (such as illustrated at block 1314 of Figure 13, and at the left-hand side of Figure 12).

The method of claim 1 further requires that the single request comprises a request for a personalized Web page (e.g., as may be viewed by a user on display screen 102 of Fig. 1).

The method of claim 1 further requires that the forming comprises assembling the personalized Web page from the content components (such as illustrated at block 1312 of Figure 13, and at Figure 11 and the left-hand side of Figure 12, and as illustrated by the arrows associated with the main process 516 and the HTTP client libraries 530 of the main server 510 of Figures 5-8).

The method of claim 1 further requires that the transmitting comprises sending the personalized Web page to the client. (such as illustrated at block 1314 of Figure 13, and at the left-hand side of Figure 12).

Claim 16 recites computer-readable media embodying instructions executable by a computer (such as main server 510) to perform the method recited at claim 1 (see above regarding the elements of claim 1).

Claim 31 recites an apparatus for performing the method of claim 1 (see above regarding the elements of claim 1, and Figures 5-12 illustrate component servers 502, 504, 506, and 508, and 904A, 904B, 904C and 904D, clients 518A ... 518N, network 520, main server 510, 902, main process 516, client libraries 530, host libraries 532, intermediate servers 602, 604, 606 and 608).

Claim 46 recites a further apparatus for performing the method of claim 1 (see above regarding the elements of claim 1, and Figures 5-12 illustrate component servers 502, 504, 506, and 508, and 904A, 904B, 904C and 904D, clients 518A ... 518N, network 520, main server 510, 902, main process 516, client libraries 530, host libraries 532, intermediate servers 602, 604, 606 and 608).

(vi) GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

Claims 1, 3, 12-16, 18, 27-31, 33, 42-46, 48, and 57-84 are rejected under 35 USC 103(a) as being unpatentable over US patent 5,983,227 to Nazem et al. in view of US 2002/0178232 to Ferguson.

Claims 4-11, 19-26, 34-41 and 49-56 are rejected under 35 USC 103(a) as being unpatentable over Nazem et al., in view of Ferguson, further in view of US patent 6,941,339 to McMichael.

(vii) ARGUMENT

ARGUMENT 1:

Claims 1, 3, 12-16, 18, 27-31, 33, 42-46, 48, and 57-84 are patentable under 35 USC 103(a) over the combination of Nazem et al. and Ferguson, because no combination of these references teaches or suggests all of the limitations of Applicants invention as set forth at any of Claims 1, 3, 12-16, 18, 27-31, 33, 42-46, 48, and 57-84.

Claim 1 recites that after receiving a single request (specifying multiple content components derived from content hosted by a plurality of distinct component servers), a plurality of information requests for the content are generated as parallel worker threads spawned from a main execution thread. Claim 1 further recites sending the plurality of requests as parallel or rapid sequential worker threads so that each information request to the component server hosting the content corresponding to the information request before receiving a response to any of the information requests, thereby permitting concurrent generation of the content components at the component servers. An advantage of Applicants' invention is that the requested data is retrieved from each of the component servers very soon after a request is received from a client, for example, client 518A of Applicants' Figure 5. The second element of Applicants' claim 1 recites specifically "After receiving the single request, generating a plurality of information requests for the content" This feature of Applicants' invention permits the assembly of a network page that has very fresh data.

Applicants' invention advantageously requires generation of multiple requests for multiple content components as parallel worker threads spawned from a main execution thread, thereby permitting concurrent generation of the content components at the component servers. In this way, the data may be retrieved after the request comes in, thereby providing enhanced freshness, while the generation of multiple requests as parallel worker threads permitting concurrent generation of the content components does not result in a delay that is the sum of the time for each retrieval process. Instead, the delay will be only as long as the longest retrieval process for any of the requested components (note that Applicants' invention as set forth at claim 3 sets forth an upper limit on the wait time before generating the personalized page without a component that is delayed beyond a timeout period). The result is that Applicants' invention provides a personalized page with fresher data than any combination of Nazem et al. and Ferguson, and without intolerable delay.

The Examiner concedes that Nazem et al. do not disclose this feature of Applicant's invention. The Examiner relies instead upon paragraph [0121] and Figure 9 of Ferguson. However, this disclosure of Ferguson also does not teach or suggest this feature of Applicants' invention. Figure 5 of Ferguson simply illustrates an invention engine 400 that requests a page 330 at a requested Web server 306 which sends the page 332 to the invention engine 400. Figure 6 of Ferguson simply shows a BITE client 408 communicating a request 330 to a Web server 306 through an invention Gateway 402. Figure 8 shows invention Web server 302 receiving outgoing banner request with client ID 712 from Ad Fetcher 708, and sending incoming banner data 714 to Ad Fetcher 708. Figure 9 shows a sequence of communications from top to bottom of Sheet 9 including Ad banner request, then CGI response, then Banner Fetch, then Ad Banner File Delivery, and finally Click Input on Ad Banner.

Paragraph [0121] simply states that an Ad Management System (AMS), such as that illustrated on the left in Figure 9 of Ferguson, works in parallel with a BITE client 408, which is capable of generating HTTP requests to Web servers. There is no mention that a single incoming request includes HTTP requests and Ad requests, and it is

doubtful that a user would request an Ad. Instead, a user would send an HTTP request, which would result in Ferguson's BITE client 408 filling the user's HTTP request through invention gateway 402. An Ad, which was not requested in the HTTP request, would be generated by the AMS and combined as a banner in a Web page including the requested content. There is no suggestion that BITE client 408 generates a plurality of information requests for the content requested by the user as parallel worker threads spawned from a main execution thread, and certainly the addition of an Ad banner to requested content does not meet this feature of Applicants' invention.

Applicants' Figures 5-9 and 12-14 illustrate the invention set forth at claim 1, which is clearly distinguished from any combination of Ferguson and Nazem et al. Applicants' requests involve multiple content components which are provided in response, unlike Ferguson whose requests involve a content component which is provided in combination with a non-requested Ad banner in response.

As no combination of Nazem et al. and Ferguson teaches to generate multiple requests for multiple requested content components, after receiving the request, as parallel worker threads spawned from a main execution thread, thereby permitting concurrent generation of the content components at the component servers, whereby the retrieving by parallel worker threads greatly reduces delays incurred in serial processing environments such as those described by Nazem et al. and Ferguson, then it is respectfully submitted that Applicants' claim 1 is allowable.

Claims 2-3, 12-18, 27-33, 42-48 and 57-84 are allowable for the same reasons as claim 1.

ARGUMENT II:

Claims 4-11, 19-26, 34-41 and 49-56 are patentable over the combination of Nazem et al., in view of Ferguson, in further view of McMichael, because no combination of these references teaches or suggests all of the limitations of Applicants invention as set forth at any of claims 4-11, 19-26, 34-41 and 49-56.

Claims 4-11, 19-26, 34-41 and 49-56 are allowable for the same reasons as claim 1, as set forth above, and because neither does McMichael in combination with Nazem et al. and Ferguson teach or suggest the features of Applicants' invention that the combination of Nazem et al. and Ferguson fails to teach or suggest.

(viii) CLAIMS APPENDIX

1. A method for satisfying a single request from a client for a plurality of content components derived from content hosted by a plurality of distinct, separately accessible component servers for forming a personalized network page, comprising:

receiving a single request specifying multiple content components derived from content hosted by the plurality of distinct, separately accessible component servers for forming the personalized network page;

after receiving the single request, generating a plurality of information requests for the content as parallel worker threads spawned from a main execution thread;

sending the plurality of requests as parallel or rapid sequential worker threads so that each information request is sent to the component server hosting the content corresponding to the information request before receiving a response to any of the information requests, thereby permitting concurrent generation of the content components at the component servers;

forming the content components from the responses to the information requests including assembling the personalized network page; and

transmitting the personalized network page including the multiple content components to the client and

wherein the single request comprises a request for a personalized Web page; and

wherein the forming comprises assembling the personalized Web page from the content components; and

wherein the transmitting comprises sending the personalized Web page to the client.

2. (canceled)

3. The method of claim 1, further comprising:

instantiating a timer after the step of sending each information request and before the step of forming the personalized web page; and

if no response is received from one of the component servers prior to a timeout period of the timer, performing the steps of

immediately establishing the response from that component server as a null value, and

carrying out the steps of forming the personalized network page and transmitting the personalized network page to the client without waiting for that response.

4. The method of claim 1, wherein the component servers generate the responses in different data formats, and the method further comprises converting the responses to a common data format.

5. The method of claim 4, wherein the common data format is based on a markup language.

6. The method of claim 4, wherein the converting step is performed at the respective component servers.
7. The method of claim 4, wherein the converting step is performed at a main server, the main server also receiving the single request from the user and transmitting the personalized network page to the client.
8. The method of claim 7, wherein the main server is a corporate portal server.
9. The method of claim 7, wherein the main server is an Internet portal server.
10. The method of claim 7, wherein each of the main server and the component servers are physically separate, and wherein the information requests and responses are transmitted according to a standard network protocol.
11. The method of claim 10, wherein the standard network protocol is selected from the group consisting of HTTP, HTTPS, WAP, and FTP.
12. The method of claim 1, wherein the component servers comprise an email server, an enterprise resource planning server, or a customer relationship management server, or combinations thereof.
13. The method of claim 3, wherein the information requests are transmitted according to a standard network protocol.
14. The method of claim 13, wherein the standard network protocol is selected from the group consisting of HTTP, HTTPS, WAP, and FTP.
15. The method of claim 1, further comprising:
 - generating a state machine to represent the progress of each information request; and
 - recursively processing the state machines to advance the progress of each information request.
16. Computer-readable media embodying instructions executable by a computer to perform a method for satisfying a single request from a client for a plurality of content components derived from content hosted by a plurality of distinct, separately accessible component servers for forming a personalized network page, the method comprising:
 - receiving a single request specifying multiple content components derived from content hosted by the plurality of distinct, separately accessible component servers for forming the personalized network page;
 - after receiving the single request, generating a plurality of information requests for the content as parallel worker threads spawned from a main execution thread;
 - sending the plurality of requests as parallel or rapid sequential worker threads so that each information request is sent to the component server hosting the content corresponding to the information request before receiving a response to any of the

information requests, thereby permitting concurrent generation of the content components at the component servers;
forming the content components from the responses to the information requests including assembling the personalized network page; and
transmitting the personalized network page including the multiple content components to the client and
wherein the single request comprises a request for a personalized Web page;
and
wherein the forming comprises assembling the personalized Web page from the content components; and
wherein the transmitting comprises sending the personalized Web page to the client.

17. (canceled)

18. The media of claim 16, wherein the method further comprises:
instantiating a timer after the step of sending each information request and before the step of forming the personalized web page; and
if no response is received from one of the component servers prior to a timeout period of the timer, performing the steps of
immediately establishing the response from that component server as a null value, and
carrying out the steps of forming the personalized network page and transmitting the personalized network page to the client without waiting for that response.

19. The media of claim 16, wherein the component servers generate the responses in different data formats, wherein the method further comprises:
converting the responses to a common data format.

20. The media of claim 19, wherein the common data format is based on a markup language.

21. The media of claim 19, wherein the converting step is performed at the respective component servers.

22. The media of claim 19, wherein the converting step is performed at a main server, the main server also receiving the single request from the user and transmitting the personalized network page to the client.

23. The media of claim 22, wherein the main server is a corporate portal server.

24. The media of claim 22, wherein the main server is an Internet portal server.

25. The media of claim 22, wherein each of the main server and the component servers are physically separate, and wherein the information requests and responses are transmitted according to a standard network protocol.

26. The media of claim 25, wherein the standard network protocol is selected from the group consisting of HTTP, HTTPS, WAP, and FTP.

27. The media of claim 16, wherein the component servers comprise an email server, an enterprise resource planning server, or a customer relationship management server, or combinations thereof.

28. The media of claim 18, wherein the information requests are transmitted according to a standard network protocol.

29. The media of claim 28, wherein the standard network protocol is selected from the group consisting of HTTP, HTTPS, WAP, and FTP.

30. The media of claim 16, wherein the method further comprises:
generating a state machine to represent the progress of each information request; and
recursively processing the state machines to advance the progress of each information request.

31. An apparatus for satisfying a single request from a client for a plurality of content components derived from content hosted by a plurality of distinct, separately accessible component servers for forming a personalized network page, comprising:
means for receiving a single request specifying multiple content components derived from content hosted by the plurality of distinct, separately accessible component servers for forming the personalized network page;
means for, after receiving the single request, generating a plurality of information requests for the content as parallel worker threads spawned from a main execution thread;
means for sending the plurality of requests as parallel or rapid sequential worker threads so that each information request is sent to the component server hosting the content corresponding to the information request before receiving a response to any of the information requests, thereby permitting concurrent generation of the content components at the component servers;
means for forming the content components from the responses to the information requests including assembling the personalized network page; and
means for transmitting the personalized network page including the multiple content components to the client and
wherein the single request comprises a request for a personalized Web page;
and
wherein the forming comprises assembling the personalized Web page from the content components; and
wherein the transmitting comprises sending the personalized Web page to the client.

32. (canceled)

33. The apparatus of claim 31, further comprising:
means for instantiating a timer after the step of sending each information request and before the step of forming the personalized web page; and
means for, if no response is received from one of the component servers prior to a timeout period of the timer, performing the steps of
immediately establishing the response from that component server as a null value, and
carrying out the steps of forming the personalized network page and transmitting the personalized network page to the client without waiting for that response.
34. The apparatus of claim 31, wherein the component servers generate the responses in different data formats, wherein the apparatus further comprises:
means for converting the responses to a common data format.
35. The apparatus of claim 34, wherein the common data format is based on a markup language.
36. The apparatus of claim 34, wherein the means for converting is part of the respective component servers.
37. The apparatus of claim 34, wherein the means for converting is part of a main server, the main server also receiving the single request from the user and transmitting the personalized network page to the client.
38. The apparatus of claim 37, wherein the main server is a corporate portal server.
39. The apparatus of claim 37, wherein the main server is an Internet portal server.
40. The apparatus of claim 37, wherein each of the main server and the component servers are physically separate, and wherein the information requests and responses are transmitted according to a standard network protocol.
41. The apparatus of claim 40, wherein the standard network protocol is selected from the group consisting of HTTP, HTTPS, WAP, and FTP.
42. The apparatus of claim 41, wherein the component servers comprise an email server, an enterprise resource planning server, or a customer relationship management server, or combinations thereof.
43. The apparatus of claim 33, wherein the information requests are transmitted according to a standard network protocol.
44. The apparatus of claim 43, wherein the standard network protocol is selected from the group consisting of HTTP, HTTPS, WAP, and FTP.

45. The apparatus of claim 31, further comprising:
 means for generating a state machine to represent the progress of each information request; and
 means for recursively processing the state machines to advance the progress of each information request.

46. An apparatus for satisfying a single request from a client for a plurality of content components derived from content hosted by a plurality of distinct, separately accessible component servers for forming a personalized network page, the apparatus comprising a processor configured to perform a method comprising:
 receiving a single request specifying multiple content components derived from content hosted by the plurality of distinct, separately accessible component servers for forming the personalized network page;
 after receiving the single request, generating a plurality of information requests for the content as parallel worker threads spawned from a main execution thread;
 sending the plurality of requests as parallel or rapid sequential worker threads so that each information request is sent to the component server hosting the content corresponding to the information request before receiving a response to any of the information requests, thereby permitting concurrent generation of the content components at the component servers;
 forming the content components from the responses to the information requests including assembling the personalized network page; and
 transmitting the personalized network page including the multiple content components to the client and
 wherein the single request comprises a request for a personalized Web page;
and
 wherein the forming comprises assembling the personalized Web page from the content components; and
 wherein the transmitting comprises sending the personalized Web page to the client.

47. (canceled)

48. The apparatus of claim 46, wherein the method further comprises:
 instantiating a timer after the step of sending each information request and before the step of forming the personalized web page; and
 if no response is received from one of the component servers prior to a timeout period of the timer, performing the steps of
 immediately establishing the response from that component server as a null value, and
 carrying out the forming of the personalized network page and transmitting the personalized network page to the client without waiting for that response.

49. The apparatus of claim 46, wherein the component servers generate the responses in different data formats, wherein the method further comprises:
 converting the responses to a common data format.

50. The apparatus of claim 49, wherein the common data format is based on a markup language.
51. The apparatus of claim 49, wherein the converting is performed at the respective component servers.
52. The apparatus of claim 49, wherein the converting is performed at a main server, the main server also receiving the single request from the user and transmitting the personalized network page to the client.
53. The apparatus of claim 52, wherein the main server is a corporate portal server.
54. The apparatus of claim 52, wherein the main server is an Internet portal server.
55. The apparatus of claim 52, wherein each of the main server and the component servers are physically separate, and wherein the information requests and responses are transmitted according to a standard network protocol.
56. The apparatus of claim 55, wherein the standard network protocol is selected from the group consisting of HTTP, HTTPS, WAP, and FTP.
57. The apparatus of claim 56, wherein the component servers comprise an email server, an enterprise resource planning server, or a customer relationship management server, or combinations thereof.
58. The apparatus of claim 48, wherein the information requests are transmitted according to a standard network protocol.
59. The apparatus of claim 58, wherein the standard network protocol is selected from the group consisting of HTTP, HTTPS, WAP, and FTP.
60. The apparatus of claim 46, wherein the method further comprises:
 generating a state machine to represent the progress of each information request; and
 recursively processing the state machines to advance the progress of each information request.
61. The method of claim 1, further comprising uniquely identifying a user who wishes to view the personalized network page regardless of which access terminal is being used.
62. The method of claim 1, further comprising caching one or more of the content components for retrieval without contacting the component server in a future request.
63. The method of claim 62, wherein the caching comprises indexing at least one of the content components according to one or more user preferences.

64. The method of claim 1, further comprising retrieving one or more previously cached content components for including in the personalized network page without contacting the corresponding component server.

65. The method of claim 64, wherein at least one of the cached content components was indexed according to one or more user preferences, and wherein the retrieving comprises calling the at least one cached content component according to the indexing.

66. The method of claim 1, further comprising providing a form allowing a user to select the components from a library of components.

67. The media of claim 16, the method further comprising uniquely identifying a user who wishes to view the personalized network page regardless of which access terminal is being used.

68. The media of claim 16, the method further comprising caching one or more of the content components for retrieval without contacting the component server in a future request.

69. The media of claim 68, wherein the caching comprises indexing at least one of the content components according to one or more user preferences.

70. The media of claim 16, the method further comprising retrieving one or more previously cached content components for including in the personalized network page without contacting the corresponding component server.

71. The media of claim 70, wherein at least one of the cached content components was indexed according to one or more user preferences, and wherein the retrieving comprises calling the at least one cached content component according to the indexing.

72. The media of claim 16, the method further comprising providing a form allowing a user to select the components from a library of components.

73. The apparatus of claim 31, the method further comprising uniquely identifying the user who wishes to view the personalized network page regardless of which access terminal is being used.

74. The apparatus of claim 31, the method further comprising caching one or more of the content components for retrieval without contacting the component server in a future request.

75. The apparatus of claim 74, wherein the caching comprises indexing at least one of the content components according to one or more user preferences.

76. The apparatus of claim 31, the method further comprising retrieving one or more previously cached content components for including in the personalized network page without contacting the corresponding component server.

77. The apparatus of claim 76, wherein at least one of the cached content components was indexed according to one or more user preferences, and wherein the retrieving comprises calling the at least one cached content component according to the indexing.

78. The apparatus of claim 31, the method further comprising providing a form allowing a user to select the components from a library of components.

79. The apparatus of claim 46, the method further comprising uniquely identifying the user who wishes to view the personalized network page regardless of which access terminal is being used.

80. The apparatus of claim 46, the method further comprising caching one or more of the content components for retrieval without contacting the component server in a future request.

81. The apparatus of claim 80, wherein the caching comprises indexing at least one of the content components according to one or more user preferences.

82. The apparatus of claim 46, the method further comprising retrieving one or more previously cached content components for including in the personalized network page without contacting the corresponding component server.

83. The apparatus of claim 82, wherein at least one of the cached content components was indexed according to one or more user preferences, and wherein the retrieving comprises calling the at least one cached content component according to the indexing.

84. The apparatus of claim 46, the method further comprising providing a form allowing a user to select the components from a library of components.

(ix) EVIDENCE APPENDIX

None.

(x) RELATED PROCEEDINGS APPENDIX

A copy of the Pre-Appeal Brief Decision to proceed to the BPAI in related US application serial number 09/949,532 is appended hereafter.

The Commissioner is authorized to charge any deficiencies in fees and credit any overpayment of fees to Deposit Account No. 50-4425. A duplicate page is enclosed.

Respectfully submitted,

SF BAY AREA PATENTS, LLC

Dated: May 12, 2008

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Enclosure: Appendix A

The Commissioner is authorized to charge any deficiencies in fees and credit any overpayment of fees to Deposit Account No. 50-4425. A duplicate page is enclosed.

Respectfully submitted,

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Enclosure: Appendix A

APPENDIX A

Copy of Notice of Panel Decision from Pre-Appeal Brief Review dated October 4, 2007
for U.S. Patent Application No. 10/949,532, filed September 7, 2001
Inventors: Boris Andreyevich Krasnoiarov, et al.



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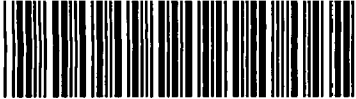
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09/949,532	09/07/2001	Boris Andreycovich Krasnoiarov	BE-06-01 991101	8587
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Please find below and/or attached an Office communication concerning this application or proceeding.

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Application Number 	Application/Control No. 09/949,532 Quoc A. Tran	Applicant(s)/Patent under Reexamination KRASNOIAROV ET AL. Art Unit 2176
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Notice of Panel Decision from Pre-Appeal Brief Review



This is in response to the Pre-Appeal Brief Request for Review filed 2/5/07.

1. ☐ **Improper Request** – The Request is improper and a conference will not be held for the following reason(s):

- ☐ The Notice of Appeal has not been filed concurrent with the Pre-Appeal Brief Request.
- ☐ The request does not include reasons why a review is appropriate.
- ☐ A proposed amendment is included with the Pre-Appeal Brief request.
- ☐ Other:

The time period for filing a response continues to run from the receipt date of the Notice of Appeal or from the mail date of the last Office communication, if no Notice of Appeal has been received.

2. ☒ **Proceed to Board of Patent Appeals and Interferences** – A Pre-Appeal Brief conference has been held. The application remains under appeal because there is at least one actual issue for appeal. Applicant is required to submit an appeal brief in accordance with 37 CFR 41.37. The time period for filing an appeal brief will be reset to be one month from mailing this decision, or the balance of the two-month time period running from the receipt of the notice of appeal, whichever is greater. Further, the time period for filing of the appeal brief is extendible under 37 CFR 1.136 based upon the mail date of this decision or the receipt date of the notice of appeal, as applicable.

☒ The panel has determined the status of the claim(s) is as follows:

Claim(s) allowed: _____.

Claim(s) objected to: _____.

Claim(s) rejected: 1-84.

Claim(s) withdrawn from consideration: _____.

3. ☐ **Allowable application** – A conference has been held. The rejection is withdrawn and a Notice of Allowance will be mailed. Prosecution on the merits remains closed. No further action is required by applicant at this time.

4. ☐ **Reopen Prosecution** – A conference has been held. The rejection is withdrawn and a new Office action will be mailed. No further action is required by applicant at this time.

All participants:

(1) Quoc A. Tran.

(2) W. Douglas Hutton.

(3) Lynne H Browne
Appeal Practice Specialist, TQAS.

(4) _____.